

## WHITMAN BACKS UP OSBORNE METHODS

Will Not Remove Sing Sing Warden—Reports May Be Rejected.

### PRISON INQUIRY HELD UP

ALBANY, Nov. 4.—Gov. Whitman does not entertain the belief that the Osborne plan now operating at Sing Sing prison is a failure. He said to-night:

"The whole plan should have a fair and complete trial and unless a good deal more develops than has already been brought out it has proved far from a failure."

This statement, following so closely upon the receipt by the State Prison Commission of the Diebling report, charging it is said, Warden Osborne with incompetence, was something of a surprise. It was the Governor's first public expression as to how he feels about the Sing Sing situation.

The publication of the report of Commissioner Rudolph F. Diebling was expected here to-day, but following the meeting of the Prison Commission it was announced that not only would the report not be given out for publication, but that none of the commission's members would comment upon it. Before the meeting of the commission Dr. Diebling submitted memoranda to Gov. Whitman.

### Will Keep Hands Off.

While the Governor's statement indicates plainly what his position in the Sing Sing situation is, his friends go further and state that it is his belief that of all the charges made against Warden Osborne by various investigators not one would stand the test of legal scrutiny, and further, that until charges which can be conclusively proven are made he will not interfere with the management of Sing Sing. They say that a study of the prison records shows that the number of escapes during last year was fewer than in the previous year and that the results and other crimes alleged to have been committed have always been incidents in prison administrations.

The Governor ridiculed the idea that he had called off District Attorney Weeks, who is investigating Sing Sing. He characterized this report as absurd. Further hostilities between the State Superintendent of Prisons and the Governor are not looked for. In view of the Governor's statement it is not expected here that the Diebling report will be accepted by the commission.

It was learned to-day that the Diebling report not only urges Mr. Osborne's removal as warden but recommends his indictment. A lawyer who saw it describes it as "a hot indictment of things at Sing Sing, with no recommendation of a medal for the warden." Dr. Diebling expects the report to be adopted, he said to-night.

Superintendent Riley approved to-day the appointment of Stephen Miller as confidential clerk at Sing Sing. He said he could not grant the salary increase asked for Deputy Warden Elisha Church, which is said to have been the cause of the latter's resignation.

Grand Jury Inquiry Put Over. WHITE PLAINS, N. Y., Nov. 4.—The warden, Dr. George W. Kitchin, formerly dean of Columbia Law School, and several keepers brought five convicts here from Sing Sing this morning to face the Grand Jury which is to investigate affairs in the prison.

The warden called at District Attorney Weeks's office and announced his readiness to answer questions at once. He expressed disappointment when Mr. Weeks informed him that the formal investigation was to be postponed until Monday, when Justice Morschauer of the Supreme Court will swear in the November Grand Jury.

Various opinions are expressed here regarding the effect of developments at Sing Sing and the probable results of the forthcoming inquiry. The predictions vary, according as the prophets expressing them are favorable to Warden Osborne or otherwise.

The warden's opponents betrayed disappointment when word came from Albany, following the receipt of the Diebling report, that Gov. Whitman had expressed a belief that evidence so far presented was sufficient to stamp the Osborne policies as a failure.

While Mr. Osborne's opponents profess to believe that revelations expected to be made before the Grand Jury will seal the warden's doom politically there are some who fear that they may also implicate Superintendent of Prisons Riley seriously. This premise is based on the assertion that conditions now existing at Sing Sing are not of recent development. They existed, according to common report, long before the beginning of the Osborne regime.

The prisoners brought here to-day are the five for whom Justice Morschauer issued writs of habeas corpus last week. When the District Attorney announced the postponement of the inquiry Mr. Osborne insisted on taking them back to Sing Sing, but Mr. Weeks objected. To settle the question the men were led before Justice Morschauer.

Osborne Makes Objection. "I object," said the warden. "It is my duty to have these men present at every session of the Grand Jury, and I am responsible for them and am heavily bonded, but I think they should be kept at Sing Sing."

"I think the District Attorney has a right to have the men here so that he may confer with them before presenting evidence before the Grand Jury," said the Justice, in granting the State's motion. "When they are placed in the Sheriff's charge your responsibility ends, warden."

The bringing here of the records of the department of industries indicates that the investigation will be into the management of every prison department and the inner workings of the Mutual Welfare League, as well as into felonies alleged to have been committed in the prison. For nearly a week Judge William Willett has been answering questions of the District Attorney and it is hinted that he may reveal secrets which will have an important bearing on the inquiry.

District Attorney Weeks said to-night that he has received the report of Dr. Diebling, but he declined to make public its contents, fearing that it might interfere with the Grand Jury investigation. From a high source it was learned that the report presents arguments against the self-government plan of Warden Osborne and that the system is held responsible for a lack of discipline.

### TWO FIGHTS IN PRISON.

One Man Stabbed; Another Hit With a Coffee Mug.

ORISKANY, Nov. 4.—Just about the time Warden Osborne and acting Warden Kitchin arrived here from White Plains this afternoon there were two fights in the prison.

In an altercation with another convict in the mat shop, Richard Vanderhuyden was stabbed in the left lung with a pair of shears. His condition is critical. Frank Sellers, a prisoner from New York county, received a fracture of the skull and his nose was broken when another prisoner struck him with a heavy coffee mug. This fight took place in the potato cellar. Sellers was operated on in the prison hospital.

## CLEARY IN NEW CITY JAIL; CAUGHT IN WASHINGTON

"I Thought It Would Come to This," Is Greeting of Ex-Boss to Sheriff.

### A FUGITIVE NINE MONTHS

New City, Nov. 4.—"Hello, Larry. I thought it would come to this." Such was W. V. Cleary's greeting to Sheriff Lawrence Seren when the ex-boss arrived here to-night. He was brought from Jersey City by Under Sheriff De Noyelles and Detective McCullagh. Mrs. Cleary accompanied her husband to the cell door and bade him a tearful farewell.

WASHINGTON, Nov. 4.—William V. Cleary, the former Democratic boss of Haverstraw, N. Y., who killed his nineteen-year-old son-in-law, Eugene Newman, was arrested here to-day after a chase of nine months on a warrant charging him with misappropriation of \$10,000 of Haverstraw town funds. Cleary was Town Clerk.

Mrs. Cleary was with him when John McCullagh, former Chief of Police of New York, walked up to Cleary in the Union Station and tapped him on the shoulder. They had wandered to South America and back and both were utterly weary. Cleary is worn and thin and little resembles the vigorous, robust man of two years ago.

He waived extradition proceedings, seemingly glad the chase was over, and will be taken back to Rockland county for trial.

Haverstraw, Nov. 4.—Residents of this town learned of William V. Cleary's arrest through a special edition of the paper owned by Fred Newman, father of the boy whom Cleary killed in July, 1914. District Attorney Thomas Gagan had received a telegram from the detective who made the capture and a message saying the prisoner would arrive at the New City jail to-night reached Sheriff Seren. Local feeling has changed materially since the day Cleary disappeared. Even some of his former political lieges seemed pleased at his arrest. In the election on Tuesday every member of the Cleary faction who held a village, town or county office was swept out. "I believe the political situation here hastened Cleary's arrest," said Newman this evening. "His brother, Ambrose



William V. Cleary.

Cleary, was dropped from the Democratic ticket for Town Clerk and he went back on Bill's old crowd. I believe some of them who knew where Bill was became soured and 'peached.' Hurd, the new Sheriff, will give Cleary no favors. I hope to get justice at last." Deputy Attorney-General Chalmers will be associated with District Attorney Gagan in the prosecution. The trial is to begin December 13 before Supreme Court Justice Tompkins at New City. Besides Cleary the indicted men are Fire Chief Barney Fox, Supervisor Joseph Feller and Butsy Seibold. Cleary and Feller are charged with grand larceny. Fox with perjury and Seibold with carrying a loaded revolver.

The first event of the series culminating in the arrest of William V. Cleary, for fourteen years Democratic boss and Town Clerk of Haverstraw, occurred on July 23, 1914, when he shot and killed Eugene Newman, his nineteen-year-old son-in-law.

Young Newman called at Cleary's office to show him his certificate of marriage to Anna Cleary. Before he had an opportunity to explain Cleary shot him to death.

The Town Clerk was indicted for murder in the first degree and on December 17 the trial started. His daughter, the young widow, was called to testify for her father. It was largely on her testimony that Cleary was acquitted.

Last April Eugene M. Travis, State Comptroller, began an investigation of alleged discrepancies in the Haverstraw accounts and Cleary disappeared.

## "TERRIBLE JUSTICE" ENDS OPERATIC WAR

Tenor and Basso Hear Stern Sentences and Decide to Make Up.

Once more peace has descended upon the Boston Grand Opera Company, which is playing its New York engagement at the Manhattan Opera House. For have not Paulo Ananian, Arabian basso magnificent, and Zanco de Prino, Russian tenor of the golden voice and statuesque presence, buried the hatchet and become as David and Jonathan? With fire in their eyes and hatred in their breasts the singers strode into the Yorkville police court yesterday and took seats as far separated as possible to await the despatch of each other to the place of all wicked people, the workhouse. Half an hour passed, during which the belligerents listened to Magistrate McQuade give an Irishman and a German two months each in which to cool their ardor for argument on the war in public. They eyed each other and slipped outside.

"This justice is a terrible man," gasped Ananian to the tenor. "Look what he does to an Irish American and a German American. We are not Americans. We have only passports. What would he do to us?"

"You speak with commendable wisdom," said De Prino; "let us become as no two other singers are, friends." Again, as the late Dr. Johnson would have said, the antipathies of the artistic temperament were shown, for arm in arm the erstwhile enemies parted in quest of liquid refreshment.

A few days ago, so the story runs, Ananian and De Prino met in Max Rabbinoff's office in the Metropolitan Opera House and an argument ensued. Ananian was backed up by his flunkies, while De Prino employed a bamboo cane. Frank Escalano, De Prino's secretary and press agent, took a hand. That is how they came to be in court.

However, though Magistrate McQuade is small, he is terrible.

### Al Davis Sues Mrs. Helen Kelly.

The complaint in the \$100,000 slander suit brought by Al Davis against Mrs. Helen Kelly, mother of Eugene Kelly, was filed in the Supreme Court yesterday. He alleges Mrs. Kelly circulated statements intimating he was a thief.

### Chinese President Father of 31.

PEKING, Nov. 4.—President Yuan Shih-k'ai is to-day the father of thirty-one children. The sixteenth son was born this morning.

# The Store for Men

Separate Building. Separate Stocks. Separate Service. Broadway at Ninth

## PRINCETON—HARVARD

### Get Ready Today

- for tomorrow's run to Princeton;
- for the horse show (opening tomorrow);
- for the week-end game of golf;
- for a drop in temperature over Sunday.

### Doing a Fine

**Business in Suits**  
Have to call upon our reserves every other day to keep sizes and selection complete. Prices \$18.50 to \$40.

Men of all ages, sizes, and good ideas on color and style, are being suited daily.

Young men are particularly pleased.

Only 100 at \$67.50.

Raccoon coats—"best in the city," said a fur merchant—\$85 to \$275. Manchurian dogskin coats, \$25. Natural muskrat coats, \$225. Unplucked sealskin, \$90.

The Motor Shop

### United States Tires

Owing to frequently expressed wishes of customers, we have added to the stocks in The Motor Shop a full line of United States tires, tubes and tire accessories; plain tires, Nobby-tread and chain-tread.

We selected United States tires because of the great satisfaction they give and the broad attitude of the makers of them in the adjustment of tire troubles.

Burlington Arcade floor, New Building.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing today.

The Hatteries.

The New Derby

Made to our design, in the fur felt selected by us, in one factory, to sell for \$3.50.

The black is deep and permanent. The fur is extra close felted, minimizing the absorption of dust. The hat is light of weight, correct, durable. In proper dimensions for small, medium-size and tall men.

First showing